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## **Board of Zoning Appeals**

**March 4, 2020**

**6:00 p.m.**

Notice is hereby given that the Board of Zoning Appeals of the Village of Whitehouse will hold a meeting on Wednesday, March 4, 2020, at 6:00 p.m. in the Whitehouse Village Hall, 6925 Providence Street, Whitehouse, OH.

### **AGENDA**

1. Call to Order.
2. Elect officers for the calendar year 2020 (Chairman, Vice Chairman, Secretary)
3. Approve Minutes of the November 6, 2019 meeting.
4. Review, discuss and finalize a ruling regarding Appeal #01-2020 submitted by Jeffrey Chamberlain, owner of General Pro Hardware, to install a greenhouse located at 6623 Providence Street.
5. Any other business as appropriate under the Village Charter.
6. Adjourn.

Jordan D. Daugherty  
Village Administrator

**VILLAGE OF WHITEHOUSE  
BOARD OF ZONING APPEALS MINUTES  
November 6, 2019**

Board members present: Chuck Kethel, Leroy Ryerson, Thomas Spears and Mike Walters. Also present was Jeff Chamberlain, Bill May and Planning Administrator Tiffany Bachman.

The Board of Zoning Appeals (BZA) meeting was called to order by Mike Walters at 6:00 p.m.

First order of business is to approve minutes from last meeting. Motion made by Leroy Ryerson, seconded by Chuck Kethel. Motion passed 4-0

An appeal is brought forth by Princess Estates, LLC, Jeff Chamberlain, to put up a 24 x 48 greenhouse next to General Pro Hardware Store. It would be used for selling of flowers, plants and garden accessories that would be grown by students at Penta Career Center. The greenhouse would be made of a poly substance guaranteed for five years of use. Jeff would also like to put up an eight foot tall fence in the front in place of the arborvitae.

Leroy made a motion to deny the request, seconded by Chuck Kethel. Motion passed 3-0. Tom Spears abstained from the vote.

Leroy made a motion to adjourn, seconded by Chuck. Motion passed 4-0. Meeting adjourned at 6:23 pm

Respectfully submitted,

Tiffany Bachman  
Planning Administrator

**STAFF REPORT**  
**BOARD OF ZONING APPEALS #01-2020**  
**March 4, 2020**

Applicant: Jeffrey Chamberlain

Date Appeal Filed: February 20, 2020

Subject Property: 6623 Providence Street, Whitehouse, OH

Request: Applicant is requesting a variance to construct a twenty-four (24) foot by forty-eight (48) foot gothic arch greenhouse garden center.

Adjacent Zoning: To the, south, north and west: C-2  
To the east: R-3

Adjacent Uses: To the south and west: Commercial  
To the north and east: Single family home

**CONSIDERATIONS:**

1. A zoning permit was requested to build a greenhouse for sales purposes only.
2. The applicant was sent a letter on October 11, 2019, denying the request for a zoning permit due to Section 1255.02 of the Whitehouse Zoning Code ( Land Use Matrix). This section states that a Greenhouse is only allowed in the "A" District with a Special Use Permit.
3. The variance came before the Board on November 6, 2019 and was denied due to concerns of the aesthetics of the greenhouse in the downtown area. The applicant is reapplying and stating he changed the front of the greenhouse to make it more aesthetically pleasing.
4. The Whitehouse Zoning Code defines Greenhouse as "a building or structure enclosed with glass or other glazing used for the cultivation and production of plants". The Board of Zoning Appeals is asked to give a variance for the greenhouse as this is not the intended use and will only be used for *selling* plants and garden merchandise.
5. Section 1242.03 (B) of the Zoning Code sets forth the powers and jurisdiction of the BZA as follows:

Variances. To authorize, upon appeal, a variance from the practical difficulties of strict application of the terms of this Zoning Ordinance, where the landowner would be deprived of reasonable return or beneficial use of property by reason of exceptional narrowness, shallowness

or shape or exceptional topographic conditions or other extraordinary situation or condition of a lot, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent of the Zoning Ordinance, and provided further that no variance shall be granted unless the Board specifically finds that all of the following conditions exist:

1. The special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or buildings in the vicinity.
2. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.
3. The condition from which relief or a variance is sought did not result from action by the applicant.
4. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the health, safety, convenience or general welfare of the inhabitants of the Village.

Respectfully submitted,

Tiffany Bachman  
Planning Administrator



## General Pro Hardware

6633 Providence Street

Whitehouse Ohio 43571

Phone 419-877-0461    generalpro.com

February 20, 2020

Village of Whitehouse  
Board of Zoning Appeals

Please accept our request for a variance to allow us to put up a Greenhouse Structure to be used as a Retail Garden Center next to the General Pro Hardware at 6633 Providence Street. I have laid out second drawing dressing the front with an Open style fence to look like wrought Iron no more than 5' high with a gate that would line up with the entrance to the greenhouse. The fence would be in line with the front of the future addition to the existing building as discussed with most of the board that visited the site. Behind the greenhouse will be the solid fencing 8' high to match the new fencing installed this year around the bulk area to hide the storage.

The front of the Greenhouse we will install a Pergola structure from the existing building to the furthest north building line of the greenhouse. The space that is left between the Hardware building and the proposed Greenhouse will be covered with heavy ground cover to maintain weed growth and a smooth walking surface to weeps the water away.

The drawings submitted should reflect this and may clear some questions. Again we are not lighting the sky as Delta currently has to endure. No lighting is planned as operation is only daylight hours, possibly a night lite for security. This is strictly for retail sales and maintaining the growth stage of bedding plants and flower for spring through early summer sales.

Thank you

Jeffrey L. Chamberlain, CEO/Pres  
General Pro Hardware, Inc  
419-877-0461

